

**EXHIBIT B - CONDITIONS OF APPROVAL  
MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT DRC2020-00097 / COUNTY OF  
SAN LUIS OBISPO DEPARTMENT OF PARKS AND RECREATION**

**Approved Development**

1. This approval authorizes improvements to the Cave Landing Natural Area coastal access/trailhead. These improvements include:
  - a. Repair the existing parking area by filling in ruts and potholes, resurface with base rock, which will provide area for up to 72 parking spaces (68 standard and 4 ADA accessible);
  - b. Improve site's drainage with approximately 300 linear feet of vegetated bio-swales and two cobble energy dissipaters;
  - c. Add approximately 65 3-4-ton landscape boulders to define and limit the parking area;
  - d. Install: 2 permanent trash/recycling enclosures, 2 bike racks, and 12 low profile signs (one monument sign at entry, 4 directive and regulatory signs on single posts, 4 ADA parking signs on single posts and 2 interpretive signs about the Native American significance and cultural history of the site and one grant recognition sign on double post panels; and
  - e. Performing regular maintenance and operation of the site and these facilities.

**Conditions required to be completed at the time of application for construction permits**

***Site Development***

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan and grading plan.
3. **At the time of application for construction permits**, the applicant shall provide plans that show no exterior lighting.
4. **At the time of application for construction permits**, the applicant shall submit to the Department of Public Works an encroachment permit application, plans, fees, and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plans are to include, as applicable:
  - a. The existing Cave Landing Road site access shall be improved according to the proposed plan.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Public utility plan, showing all existing utilities and installation of all new utilities to serve the site.
  - d. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
5. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire, or the regulating fire agency standards and specifications back to the nearest public maintained roadway.

***Drainage & Flood Hazard***

6. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 23.05.040 of the Land Use Ordinance.
7. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval in accordance with Section 23.05.036 of the Land Use Ordinance.

***Stormwater Pollution Prevention Plan (SWPPP)***

8. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

***Fire Safety***

9. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project.

**Conditions to be completed prior to issuance of a construction permit**

10. **Prior to issuance of a construction permit**, the applicant shall provide a Department of Planning and Building Department approved Trash and Public Safety Plan that includes:
  - Daily trash pick-up, least once a day, with at ability to increase as needed.
  - Clean up trash at parking lot and trail heads and other high visibility areas and document level and types of trash collected.
  - Use of recycling bins.
  - Process to remove abandoned bulk items, furniture, and vehicles.
  - Procedures to prevent illegal encampments.
  - Track public safety calls including the type of call (e.g. law enforcement, emergency health, etc.) and location.
  - Note any maintenance or trash issues that are associated with public safety issues (e.g. needles and drug paraphernalia, illegal fires).

After 3 years, the applicant shall prepare a summary report and submit to the Department of Planning and Building for review and modification based on the results.

11. **Prior to issuance of a construction permit**, the applicant shall provide a Department of Planning and Building Department Cultural Resource Protection Plan, prepared by a subsurface-qualified archaeologist, approved by the Environmental Coordinator, to be reviewed and approved by the Environmental Coordinator. The plan shall include at a minimum:
  - a. List of personnel involved in the observation and oversight activities;
  - b. Description of how monitoring will occur;
  - c. Description of frequency of monitoring (e.g. full-time, part time. spot checking);
  - d. Description of what resources are expected to be encountered;

- e. Description of circumstances that would result in the halting of work at the project site (e.g. what is considered significant archaeological resources?);
  - f. Description of procedures for halting work on the site and notification procedures;
  - g. Description of reporting procedures; and
  - h. Consultation with appropriate Chumash tribal representatives.
12. **Prior to issuance of a construction permit**, the applicant shall provide construction drainage plans that:
- a. Improves cross drainage and reduce concentrated flows of runoff.
  - b. Does not increase erosion or flow of surface drainage water into landslide area.
  - c. Includes vegetated bio-swales and two cobble energy dissipaters sized such that stormwater runoff is no more than the natural surface.

**Conditions to be completed during project construction**

13. All ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the environmental coordinator) and Native American to observe all native earth disturbing activities, per the approved Cultural Resource Protection Plan. If any significant archaeological resources or human remains are found all work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the Cultural Resource Protection Plan as required by the Environmental Coordinator.

**Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

14. **Upon completion of all cultural monitoring and prior to final inspection** (whichever occurs first) the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all activities and confirming that all requirements have been met per the Cultural Resource Protection Plan.
15. **Prior to commencing permitted activities**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Public Works Inspector and in accordance with the County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.
16. **Prior to final inspection**, interpretive panel(s) shall be installed to educate the public about the Native American significance and cultural history of the area. The interpretive panels shall be approved by County Parks, and the content shall be developed in cooperation with appropriate Chumash tribal representatives.
17. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
18. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes,

approved by the County, and rerecorded with the County Clerk-Recorder as amendments to the original document.

**On-going conditions of approval (valid for the life of the project)**

19. The clothing optional beach use shall continue on-site.
20. The coastal access shall be closed during significant rainstorms or ground movement events to ensure public safety.
21. In accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of way including, but not limited to, project signage, tree planting, fences, etc., without a valid encroachment permit issued by the Department of Public Works.
22. The property owner shall be responsible for operation and maintenance of public road frontage access, landscaping, maintaining County driveway sight distance standards and pedestrian amenities in a viable condition and on a continuing basis into perpetuity. Trash/recycling receptacles shall be kept at least 5 feet behind the edge of pavement to ensure adequate lateral clearance.
23. The applicants shall provide recycling opportunities to all facility users at all events in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).
24. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
25. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.